

Testimony before the Judiciary Committee  
March 14, 2011

Good morning Senator Coleman and Representative Fox. My name is Margherita Giuliano. I am a pharmacist and Executive Vice President of the Connecticut Pharmacists Association, a professional organization representing close to 1,000 pharmacists in the state.

I am here today to support the Governor's bill *SB 1015 An Act Concerning the Palliative Use of Marijuana* and *RB 6566 An Act Concerning the Compassionate use of Marijuana* with some suggested amendments.

It is important to clarify that those who are opposed to this legislation have legitimate concerns. The state can decriminalize marijuana, and pass legislation for the medical use of marijuana. However, that does not diminish the fact that marijuana is a highly abused substance and even if used for medicinal purposes it requires stringent regulations.

The Drug Enforcement Agency (DEA) has established five schedules of controlled substances (I-V) whereby Schedule I is the most stringent. Schedule I drugs are so classified based on the following findings:

- (A) The drug or other substance has a high potential for abuse.
- (B) The drug or other substance has no currently accepted medical use in treatment in the United States.
- (C) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

This is currently where Marijuana is placed.

We would like to make the following recommendations that we feel would make the proposed legislation even stronger:

**1. Make Marijuana a Schedule II Controlled Substance**

The State has the authority to classify a drug in a different Schedule than the DEA does.

Schedule II Controlled Substances are classified as such based on the following criteria:

- (A) The drug or other substance has a high potential for abuse.
- (B) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- (C) Abuse of the drug or other substances may lead to severe psychological or physical dependence.

Schedule II drugs are currently highly regulated and controlled. We think this would be the appropriate place for Marijuana because it has been accepted to have some medical use in treatment for patients with pain, nausea and vomiting from chemotherapy and other situations.

**2. Distribute Medical Marijuana through pharmacies**

The State of CT already has a distribution system in place to handle controlled substances. This system is through our pharmacies. And, as all of you know, pharmacies are highly regulated through the Department of Consumer Protection. Pharmacies are already prepared to handle highly abused drugs. If this is done properly marijuana would be handled no differently.

We would recommend that pharmacies that want to dispense marijuana would have to apply and register through the department. DCP would know exactly which pharmacies are in possession of the drug.

**3. Tracking through the Prescription Monitoring Program(PMP)**

As with any other "prescription" for a controlled substance, each pharmacy has to provide information to the Department of Consumer Protection for prescriptions filled into the state's Prescription Monitoring Program (PMP). This system has several benefits.

1. It allows the prescriber to check the PMP to see if the patient that is requesting medical marijuana has been seen by other prescribers or is potentially "doctor shopping" for it;
2. It allows the pharmacist to check the PMP to see if the patient has had this filled elsewhere and by a different prescriber;
3. The DCP would have reports at their fingertips to track and monitor who is receiving, prescribing and dispensing marijuana. It would make enforcement of these regulations possible.

#### **4. Require Prescribers to Obtain a Special DEA Designation to Prescribe:**

Currently there is a system in place for prescribers who are allowed to prescribe the drug Suboxone which is used in patients to minimize the effects of withdrawal. They get an "X" designation on their DEA number that informs the pharmacist that this prescriber is able to prescribe this particular drug. The pharmacist can go to a website to verify this if the prescriber is not known to him/her. A similar system could be set up to allow only certain prescribers the authority to prescribe marijuana. I don't think that all prescribers should be allowed to prescribe this drug. Many will choose not to. However, this system would be able to track who the approved prescribers are.

#### **5. All Marijuana should be Grown and Produced by Licensed Growers:**

I think the biggest concern we have with one of the proposed bills is that it allows patients to grow it in their own homes. This opens the door to so many issues. If we are truly going to "legitimize" the medical use of marijuana then I think we have to treat it like any other "medication." There needs to be standards set on growing, quality assurance, labeling, packaging and dosing. Growers should have the responsibility to provide medical marijuana packaged to dispense.

Having licensed growers also controls the quality of the drug itself. Ten different patients could be growing ten different types of marijuana. We want to be sure that what a patient is taking is not laced with any other hallucinogenic drugs or other harmful substances that they may not be aware of. This would alleviate that concern.

We should not overlook that this will bring a new industry to our state and will create much-needed jobs. All growing should be done in a closed facility that is highly secured. We can refurbish some of the abandoned warehouses to become growing facilities. This would generate new tax revenue for the state and municipalities.

I hope that the committee will consider the recommendations that we have presented. While we recognize that the federal government still considers marijuana an illegal substance, perhaps if we can demonstrate that there is a safe way to provide access to patients who truly need this medication we will be a model for the rest of the country.

Thank you for your consideration.